



ANTI-DUMPING NOTICE NO. 2017/165

Certain Hot Rolled Plate Steel Exported to Australia from the People's Republic of China, the Republic of Indonesia, Japan, and the Republic of Korea

Initiation of an Exemption Inquiry EX0058

Customs Tariff (Anti-Dumping) Act 1975

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have initiated an exemption inquiry in relation to goods the subject of anti-dumping measures applying to certain hot rolled plate steel (plate steel) exported to Australia from the People's Republic of China (China), the Republic of Indonesia (Indonesia), Japan and the Republic of Korea (Korea).

The exemption is sought under subsections 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions, the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)¹ may exempt goods from interim dumping duty and dumping duty, and interim countervailing duty and countervailing duty (together, the duties) where satisfied:

'that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.'

The anti-dumping measures

Anti-dumping measures, in the form of a dumping duty notice and a countervailing duty notice,² were initially imposed on plate steel by public notice on 19 December 2013 by the then Minister for Industry following consideration of the findings and recommendations in *International Trade Remedies Branch Report No. 198* (REP 198).

¹ On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purposes of this inquiry the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

² Anti-Dumping Notice 2013/72 refers.

Exports of the goods from China,³ Indonesia, Japan and Korea⁴ are subject to dumping duty and exports of the goods from China are subject to countervailing duty. Particulars of the dumping and subsidy margins established for each of the exporters and the effective rates of duty are set out in the following table:

Country	Manufacturer / exporter	Dumping margin	Subsidy margin	Effective rate of duty
China	All exporters (except Shandong Iron and Steel, Jinan Company (JIGANG))	22.1%	36.9%	54.9%
Indonesia	PT Gunung Rajapaksi	8.6%	Not applicable	8.6%
	PT Krakatau Steel	11.3%	Not applicable	11.3%
	PT Gunawan Dianjaya Steel	11.3%	Not applicable	11.3%
	All other exporters	19.3%	Not applicable	19.3%
Japan	All exporters	14.3%	Not applicable	14.3%
Korea	Dongkuk Steel Mill, Co., Ltd	18.4%	Not applicable	18.4%
	All other exporters (except Hyundai Steel Company and POSCO)	20.6%	Not applicable	20.6%

The investigation into the alleged dumping of plate steel also included plate steel exported from Taiwan; however, on 10 September 2013, the Commission terminated its dumping investigation into the goods exported by all exporters from Taiwan. *Termination Report No. 198 (TER 198)* sets out the reasons for the termination.

The goods

The goods to which the current anti-dumping measures apply are:

Flat rolled products of:

- iron;
- non-alloy steel; or
- non-heat treated alloy steel of a kind commonly referred to as Quench and Tempered (Q&T) Green Feed;

of a width greater than 600mm, with a thickness equal to or greater than 4.75mm, not further worked than hot rolled, not in coils, with or without patterns in relief.

³ The dumping investigation relating to Shandong Iron and Steel, Jinan Company (JIGANG) was terminated and the exporter is not subject to dumping or countervailing duty. TER 198 sets out the reasons for the termination.

⁴ The dumping investigation relating to Hyundai Steel Company and POSCO was terminated. The exporters are not subject to dumping duty. TER 198 sets out the reasons for the termination.

Goods excluded from the current anti-dumping measures are:

- 250 megapascal (MPa) yield strength grades of plate steel with a thickness greater than 150mm;
- 350 MPa yield strength grades of plate steel with a thickness greater than 100mm;
- Q&T Green Feed grades of plate steel with a thickness greater than 105mm; and
- heat treated Q&T grades of plate steel.

In accordance with *Ministerial Exemption Instrument Nos. 8 of 2014*,⁵ *9 of 2014*,⁶ *1 of 2015*,⁷ and *7 of 2017*,⁸ the following goods are exempt from the current anti-dumping measures:

- plate steel specified by Japanese Industry Standard (JIS) G4051-S45C (Australian Standard AS3678/K1042) with a thickness equal to or greater than 105mm;
- plate steel specified to the ASTM International A516-GR70 standard with a thickness equal to or greater than 105mm;
- goods subject to Tariff Concession Order TC1413674; and
- hot rolled micro alloyed non-heat treated steel sheet conforming to: steel grades BS700MCK2 and BS700MCK4; with a yield strength NOT less than 680 MPa; of a thickness NOT less than 2.5mm and NOT greater than 16mm, and a Carbon Equivalent Value (CEQ) of less than or equal to 0.50.

The relevant exemption reports which set out the basis for granting these exemptions are available on the Commission's website at www.adcommission.gov.au.

The exemption goods

The applicant, Wear Plate Australasia Pty Ltd (Wear Plate) is seeking two exemptions. The goods the subject of the exemption inquiry (the exemption goods) are described by the applicant as:

Exemption 1

Flat-rolled products of iron or non-alloy steel of a width of 600mm or more, hot rolled, not clad, plated or coated:

- of a thickness exceeding 10mm; and
- of a length of 3200mm;
- of a width between 1720mm-1800mm
- of a thickness not less than 10mm or greater than 25mm;

⁵ EX0018 refers.

⁶ EX0019 refers.

⁷ EX0022 refers.

⁸ EX0050 refers.

- with a carbon content not exceeding 0.22%;
- specifically conforming to
 - Australian Standard AS/NZS 3678-250
 - USA equivalent ASTM A36
 - EU equivalent EN 100025-2-S235JR
 - Japanese equivalent JIS G 3101 22400

The application states that the exemption goods are classified to tariff subheading 7208.51.00 (statistical code 40) of Schedule 3 to the *Customs Tariff Act 1995*.

Exemption 2

Flat-rolled products of iron or non-alloy steel of a width of 600mm or more, hot rolled, not clad, plated or coated:

- of a thickness 4.75mm or more but not exceeding 10mm; and
- of a length of 3200mm;
- of a width between 1720mm-1800mm
- with a carbon content not exceeding 0.08%
- specifically conforming to
 - Australian Standard AS/NZS 3678-A1006
 - USA equivalent SAE 1006
 - EU equivalent DC04

The application states that the exemption goods are classified to tariff subheading 7208.52.00 (statistical code 41) of Schedule 3 to the *Customs Tariff Act 1995*.

The exemption inquiry will examine whether the exemption goods satisfy the conditions of subsections 8(7)(a) and 10(8)(a) of the Dumping Duty Act.

The current inquiry

An application for exemption has been made to the Parliamentary Secretary by Wear Plate. The application is taken to have been received on 23 August 2017.

The grounds for the exemption application are that the applicant believes that there are no Australian manufacturers of plate steel that meet the specifications for which the exemption is sought.

After making inquiries of the Australian industry producing plate steel and other interested parties, I will recommend to the Parliamentary Secretary whether the exemption goods should be exempted from the anti-dumping measures.

Public record

There is no legislative requirement to maintain a public record for exemption inquiries. However, in the interests of ensuring this process is conducted in an open and transparent manner, a public record for this inquiry may be examined at the Anti-Dumping Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is accessible at www.adcommission.gov.au.

The public record will contain, among other things, a copy of the application and a copy of all non-confidential submissions from interested parties.

Lodgment of submissions

Interested parties are invited to lodge written submissions concerning this inquiry no later than the close of business on 10 January 2018, addressed to:

The Director
Investigations 1
Anti-Dumping Commission
GPO Box 2013
CANBERRA ACT 2601

or email to investigations1@adcommission.gov.au, or fax to +61 3 8539 2499.

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests; or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "For Official Use Only". Interested parties must lodge a non-confidential version or a summary of their submission in accordance with the requirement above (clearly marked "PUBLIC RECORD").

Report to the Parliamentary Secretary

Submissions received in the timeframe stated above will be taken into account in completing the report and recommendation to the Parliamentary Secretary. There is no legislated timeframe for this process.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2419 or email investigations1@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

4 December 2017